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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,997	06/06/2001	Pan-Jin Kim	1317.1055D	8166

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EXAMINER

LONSBERRY, HUNTER B

ART UNIT	PAPER NUMBER
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2623

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/873,997

Applicant(s)

KIM ET AL.

Examiner

Hunter B. Lonsberry

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 8/14/06 have been fully considered but they are not persuasive.

Applicant argues that the claims as amended require selecting a major channel number on a channel select menu of said display device and displaying a major channel number and at least one minor channel number of programs received through said major channel". (Page 3)

The combination of Schein and Eyer teaches each and every element of the above claims. The Examiner notes however, that the claim language is silent with regards to the display of both a major channel number and at least one minor channel number through the channel select menu, instead it merely recites displaying the channel numbers of partial channels corresponding to a position of a scroll bar.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,002,394 to Schein in view of U.S. Patent 5,982,411 to Eyer.

Regarding claim 15, Schein discloses a method for displaying channel information on a digital television for receiving digital multi-channel television broadcasts (column 6, lines 37-41) comprising the steps of:

Displaying a channel select menu on a television screen in response to a demand from the user (Figure 17b, column 22, lines 47-61, Figure 16a, column 21, lines 20-30, 61-column22, line 1), wherein the channel select menu includes a scroll bar window 20 having a scroll bar moving area split into predescribed areas (up and down area and indicator of current place within the channel listings) so as to cover all received channels and includes a channel window for displaying channel numbers of partial channels corresponding to a position of the scroll bar (column 21, line 61-column22, line 1)

The menu including a scroll bar window, which displays the numbers of all the channels and the channels, which correspond to a position in the scroll bar (column 21, line 61-column22, line 1, the channels listed in 506 change as the user scrolls).

Schein fails to disclose the use of major and minor channels and selecting a major channel number on a channel select menu.

Eyer discloses the use of major (primary channel) minor (secondary) channel numbers (column 5, lines 3-43, a user jumps from a major channel 10 to a minor channel 111 with successive channel increment commands) in a GUI environment (column 6, lines 56-67), major channel number allow minor channels to be group by a common programming service provider, or may be grouped by programming themes, or demographics (column 6, lines 22-34), thus allowing easy navigation of programming.

Therefore, it would have been obvious to one skilled in the art at the time of invention to modify Schein to utilize the major and minor channels of Eyer for the advantage of enabling easy channel navigation by grouping channels by common program provider or by theme or demographics.

Regarding claim 16, Schein discloses determining if one of the channel numbers displayed on channel window 506 is selected (column 12, lines 19-31),

and if the channel number is selected selecting a channel of the selected channel number (column 21, lines 19-31).

Eyer discloses that a user may select a channel number via a GUI (column 6, lines 56-67).

Regarding claim 17, Eyer is relied upon to teach displaying the channel numbers corresponding to the minor channels without displaying the channel number corresponding to the major channel (column 8, lines 44-65, the major channel 10 may

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be selected and minor channels are referenced by the call letters ABC-#), display of channel numbers is shown at column 9, line 14-column 10, line 15.

Regarding claim 18, Eyer is relied upon to teach displaying the channel number corresponding to the minor channels (111-113) and the major channel 10 (column 5, lines 3-43), display of channel numbers is shown at column 9, line 14-column 10, line 15.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 571-


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272-7298. The examiner can normally be reached on Monday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HBL



JOHN MILLER
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